

Serial IN 09/469,865 PD980095/RC A89-912

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Inventor : Marco Winter
Serial No. : 09/469,865
Filed : December 22, 1999
Title : REPLAY APPLIANCE FOR ACCESSING A RECORDING
MEDIA CONTAINING INFORMATION BLOCKS
Examiner : Po Lin Chieu
Art Unit : 2615

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Patricia A. Verlangieri

APPELLANTS' BRIEF UNDER 37 C. F. R. § 1.192

On October 7, 2004, Appellants filed a timely Notice of Appeal (that was received in the United States Patent and Trademark Office on October 7, 2004) from the action of the Examiner finally rejecting pending claims 1-12. The Appellants herein file this Brief in accordance with 37 C. F. R. § 1.192.

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Serial No. 09/469,865

PD980095/RCA89/9121

1. IDENTIFICATION OF REAL PARTY IN INTEREST

The real party in interest for the above-identified application is Thomson Inc., which is the assignee of the assignee of record for this application, Deutsche Thomson-Brandt GmbH.

2. IDENTIFICATION OF RELATED APPEALS OR INTERFERENCES

To the best of appellant's knowledge, there are no appeals or interferences that would be directly affected by, or will have a bearing on the decision of this appeal.

3. STATUS OF THE CLAIMS

The above-identified application was filed on December 22, 1999 claiming priority under 35 U. S. C. § 119 to German Patent Application No. 198 59 845.9 filed December 23, 1998. Claims 1-11 were pending. In a Preliminary Amendment filed on December 22, 1999, claims 1-2 and 9-10 were amended, claim 12 was added.

A first Office Action was mailed October 6, 2003 (Paper No. 6), in which claims 1-12 were rejected.

In appellant's response to the first Office Action, dated February 5, 2004, no claims were amended.

The Examiner in a second Office Action, mailed April 7, 2004 (Paper No. 8), finally rejected claims 1-12.

The status of the claims is as follows:

Original claims 3-8 and 11-12. Once amended claims 1-2 and 9-10. All claims stand finally rejected.

Serial No. 09/469,865 PD980095/RCA091012

4. STATUS OF THE AMENDMENTS

No amendments were made to the claims after final rejection. All amendments were entered.

5. SUMMARY OF CLAIMED SUBJECT MATTER

Independent claim 1 is directed to a replay appliance for accessing information stored on a recording media. See appellant's specification at page 2, lines 8-12. The replay appliance includes a scanning device, a search means (e.g., mask) and a comparator. See appellant's specification at page 2, line 24 to page 3, line 10. The scanning device first scans the recording media. See appellant's specification at page 4, lines 21-25. The search means then performs a binary search of the scanned recording medium, based on replay time. See appellant's specification at page 4, lines 7-21. The comparator compares the replay time to a desired replay time and the scanning device scans information on the recording media at a point that corresponds to the result of the comparator, to access information stored on the recording media at the defined playing time. See appellant's specification at page 4, line 21 to page 6, line 2.

Dependent claim 3 is directed to a replay appliance for accessing information stored on a recording media. See appellant's specification at page 2, lines 8-12. The replay appliance includes a scanning device, a search means (e.g., mask) and a comparator. See appellant's specification at page 2, line 24 to page 3, line 10. The scanning device first scans the recording media. See appellant's specification at page 4, lines 21-25. The search means then performs a binary search of the scanned recording medium, based on replay time. See appellant's specification at page 4, lines 7-21. The comparator compares the replay time to a desired replay time and the scanning device scans information on the recording media at a point that corresponds to the result of the comparator, to access information stored on the recording media at the defined

Serial No. 09/469,805; 2005-03-07 PD980095/RCA89,912

playing time. See appellant's specification at page 4, line 21 to page 6, line 2.
The comparator is a mask for comparing information read from the recording medium with a binary word. See appellant's specification at page 5, lines 2-6.

6. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1. The Examiner has rejected claims 1-2 and 4-10 as anticipated under 35 U. S. C. § 102(e) by Kawamura et al. (U. S. 6,075,920).
2. The Examiner has rejected claims 3 and 11-12 as being unpatentable under 35 U. S. C. § 103(a) over Kawamura et al. (U. S. 6,075,920) in view of Carter et al. (U. S. 5,845,331).

7. ARGUMENT

1. Rejection of claims 1-2 and 4-10 under 35 U. S. C. § 102(e) over Kawamura et al. (U. S. 6,075,920).

Claims 1-2 and 4-10

Kawamura et al. discloses an apparatus for recording and reproducing video data. See Kawamura et al. at column 1, lines 7-11. In Kawamura et al. time code information is recorded at the head of each sector of the recording medium. See Kawamura et al. at column 5, lines 49-67. A search is made based on a time code specified by the user. See Kawamura et al. at column 14, lines 54-56. A control unit instructs a pickup to move to the sector of the recording medium where the time code specified by the user is located. See Kawamura et al. at column 14, line 59- to column 15, line 15.

In appellant's claims 1-2 and 4-10 a replay appliance is described for accessing information stored on a recording media. See appellant's specification at page 2, lines 8-12. The replay appliance includes a scanning device, a search

Serial No. 09/469,865

IPD980095/PCA89,912

means (e.g., mask) and a comparator. See appellant's specification at page 2, line 24 to page 3, line 10. The scanning device first scans the recording media. See appellant's specification at page 4, lines 21-25. The search means then performs a binary search of the scanned recording medium, based on replay time. See appellant's specification at page 4, lines 7-21. The comparator compares the replay time to a desired replay time and the scanning device scans information on the recording media at a point that corresponds to the result of the comparator, to access information stored on the recording media at the defined playing time. See appellant's specification at page 4, line 21 to page 6, line 2.

Kawamura et al. does not describe or suggest a replay appliance in which a scanning device first scans a recording media, then a search means performs a binary search of the scanned recording medium based on a replay time, a comparator compares the replay time to a desired replay time and the scanning device scans information on the recording media at a point that corresponds to the result of the comparator to access information stored on the recording media at the desired playing time. Rather, Kawamura et al. only teaches searching time code information recorded in each sector of a recording medium based on a time code specified by a user and moving a pickup to the sector of the recording medium where the time code specified by the user is located. Therefore, appellant's submit that claims 1-2 and 4-10 are not anticipated by Kawamura et al.

Serial No. 09/469,065

2. Rejection of claims 3 and 11-12 under 35 U. S. C. §103(a) over Kawamura et al. (U. S. 6,075,920) in view of Carter et al. (U. S. 5,845,331).

Claims 3 and 11-12

Kawamura et al. discloses an apparatus for recording and reproducing video data. See Kawamura et al. at column 1, lines 7-11. In Kawamura et al. time code information is recorded at the head of each sector of the recording medium. See Kawamura et al. at column 5, lines 49-67. A search is made based on a time code specified by the user. See Kawamura et al. at column 14, lines 54-56. A control unit instructs a pickup to move to the sector of the recording medium where the time code specified by the user is located. See Kawamura et al. at column 14, line 59- to column 15, line 15.

In appellant's claims 3 and 11-12 a replay appliance is described for accessing information stored on a recording media. See appellant's specification at page 2, lines 8-12. The replay appliance includes a scanning device, a search means (e.g., mask) and a comparator. See appellant's specification at page 2, line 24 to page 3, line 10. The scanning device first scans the recording media. See appellant's specification at page 4, lines 21-25. The search means then performs a binary search of the scanned recording medium, based on replay time. See appellant's specification at page 4, lines 7-21. The comparator compares the replay time to a desired replay time and the scanning device scans information on the recording media at a point that corresponds to the result of the comparator, to access information stored on the recording media at the defined playing time. See appellant's specification at page 4, line 21 to page 6, line 2. The comparator is a mask for comparing information read from the recording medium with a binary word. See appellant's specification at page 5, lines 2-6.

Serial No: 097460865
PB980095/BCA89.912

Kawamura et al. does not describe or suggest a replay appliance in which a scanning device first scans a recording media, then a search means performs a binary search of the scanned recording medium based on a replay time, a comparator compares the replay time to a desired replay time and the scanning device scans information on the recording media at a point that corresponds to the result of the comparator to access information stored on the recording media at the desired playing time where the comparator is a mask for comparing information read from the recording medium with a binary word. Rather, Kawamura et al. only teaches searching time code information recorded in each sector of a recording medium based on a time code specified by a user and moving a pickup to the sector of the recording medium where the time code specified by the user is located. Therefore, appellant's submit that claims 3 and 11-12 are patentable Kawamura et al.

Carter et al. discloses a memory system. See Carter et al. at column 1, lines 61-63. The memory system includes shared memory for storing instructions and data. See Carter et al. at column 1, line 66 to column 2, line 1. Access to the shared memory of the memory system is restricted by guarded pointers. See Carter et al. at column 2, lines 2-17.

Carter et al. does not describe or suggest a replay appliance in which a scanning device first scans a recording media, then a search means performs a binary search of the scanned recording medium based on a replay time, a comparator compares the replay time to a desired replay time and the scanning device scans information on the recording media at a point that corresponds to the result of the comparator to access information stored on the recording media at the desired playing time where the comparator is a mask for comparing information read from the recording medium with a binary word. Rather, Carter et al. teaches a completely different arrangement in which access to a shared memory of a memory system is restricted by guarded pointers. Therefore, appellant's submit that claims 3 and 11-12 are patentable Carter et al.

Serial No 09/469,865

PD980095/RCA89,912

Further, since Kawamura et al. only teaches searching time code information recorded in each sector of a recording medium based on a time code specified by a user and moving a pickup to the sector of the recording medium where the time code specified by the user is located and Carter et al. teaches a completely different arrangement in which access to a shared memory of a memory system is restricted by guarded pointers, the combination of these references does not describe or suggest appellant's arrangement recited in claims 3 and 11-12. In particular, claims 3 and 11-12 recite a replay appliance in which a scanning device first scans a recording media, then a search means performs a binary search of the scanned recording medium based on a replay time, a comparator compares the replay time to a desired replay time and the scanning device scans information on the recording media at a point that corresponds to the result of the comparator to access information stored on the recording media at the desired playing time where the comparator is a mask for comparing information read from the recording medium with a binary word. Thus, claims 3 and 11-12 are not obvious over Kawamura et al. in view of Carter et al.

8. CONCLUSION

In view of the above, it is respectfully submitted that the rejection of claims 1-12 should be reversed.

Respectfully submitted,



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Serial No. 09/469,865

PD980095/PCA89:9.12

APPENDIX I - APPEALED CLAIMS

1. Replay appliance for accessing at a defined playing time information stored on recording media containing information blocks, the appliance comprising:
 - a scanning device for scanning data on a recording medium;
 - search means for binary searching of the recording medium on the basis of a replay time; and
 - a comparator for comparing a replay time which has been scanned from the recording medium with a desired replay time, wherein the scanning device scans the recording medium at a point which corresponds to a result of a comparison by the comparator to access at the defined playing time.
2. Replay appliance according to Claim 1, wherein the search means for binary searching is a comparator for comparing information read from the recording medium with a binary word, and an evaluator for evaluating a recording medium replay time contained in a file associated with the binary word.
3. Replay appliance according to Claim 2, wherein the comparator is a mask for comparing information read from the recording medium with a binary word.
4. Replay appliance according to Claim 2, wherein the binary word is a designator recorded on the recording medium.
5. Replay appliance according to Claim 4, wherein the designator is a navigation sector designator.
6. Replay appliance according to Claim 1, wherein the desired replay time is a replay time which is intended for access, at a defined playing time, to the recording medium.
7. Replay appliance according to Claim 1, wherein the desired replay time is a replay time provided within a tolerance window, for access, at a defined playing time, to the recording medium.

Serial No. 09/469,865 PD980095/ROA89,912

8. Replay appliance according to Claim 1, wherein the comparator for comparing a replay time that has been found with a desired replay time drives the scanning device to a point on the recording medium which corresponds to the result of the comparison.
9. Replay appliance according to Claim 1, wherein for access at a defined playing time, the comparator drives the scanning device to a point on the recording medium which corresponds to the defined playing time.
10. Replay appliance according to Claim 1, wherein the scanning device is controlled using an iterative approximation method to a point on the recording medium which corresponds to the defined playing time.
11. Replay appliance according to Claim 3, wherein the binary word is a designator recorded on the recording medium.
12. Replay appliance according to Claim 11, wherein the designator is a navigation sector designator.

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